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## Jury Bids C.I.A. Pay 3 in Mail Case

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The first trial of charges that the Central Intelligence Agency had invaded the privacy of citizens by secretly opening their mail ended yesterday with an advisory jury recommending cash reimbursement ranging from \$2,500 to \$10,000.

The jury of nine women and three men, which had deliberated for nine hours, was unanimous in proposing that the three plaintiffs in the case receive compensation for the illegal invasion of their privacy, but differed on the amount.

Three proposed compensation of \$10,000, eight urged \$5,000 and one, saying she believed a written Government apology "is worth more than the money," nevertheless proposed payment of \$2,500.

After polling the jurors for their reasons, Judge Jack B. Weinstein, who presided over the trial in Federal District Court in Brooklyn, said that he would have a final decision in midsummer.

### Suits Had Asked Larger Sums

Norman Birnbaum, an Amherst College sociology professor, who said the C.I.A. had opened a letter he had sent to a Soviet professor, D. M. Ugranovitch, had filed suit for \$50,000. Leonard Avery, a Minneapolis advertising executive, had asked for \$20,000 because the agency had opened a letter sent to him by his son, Michael, a student in Moscow. Mary R. Macmillen, a placement coordinator at Northeastern University in Boston, had sued for \$20,000, charging that the C.I.A. had opened a very personal letter she had sent to someone in the Soviet Union.

The first juror polled said that she had voted for \$5,000 for each of the plaintiffs "because not too much damage had been done," and it was a "meaningful" amount.

Other jurors who had voted the same amount echoed her view. But one of the male jurors said that he had voted for \$10,000 because of the "mental anguish" the three suffered and because "it was an infringement on their rights."

Another of the male jurors also had voted for \$10,000 "to show that their rights had been infringed upon." He added that "the American people realize today that they don't have to stand for the Government breaking the law."

### No Evidence of 'Tangible Damage'

In charging the jury, Judge Weinstein said there was no evidence of "tangible damage." But he added that the panel could consider other kinds of injury, "including emotional distress, shock, fright and outrage at what has been done to a plaintiff personally."

Two lawyers for the American Civil Liberties Union—Melvin L. Wulf and Burt Neuborne, who represented two of the defendants—noted that a finding by Judge Weinstein that \$5,000 was a proper compensation could cost the C.I.A. \$1 bil-

lion. "There are over 200,000 letters that have been opened," Mr. Wulf said.

He added that his organization had offered to help any other citizen who believed his mail had been opened by the agency in violation of the law.

Two other cases have been referred to Judge Weinstein, and it is expected others will be transferred from other courts.